

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	Crim. No. 1:17-CR-00142-5
	:	
	:	
v.	:	
	:	
	:	
	:	
HENRY FERRER	:	Judge Jennifer P. Wilson

**ORDER**

**AND NOW**, on this 26th day of May, 2021, for the reasons stated in the accompanying memorandum, **IT IS ORDERED AS FOLLOWS:**

1. The court shall not impose a sentencing enhancement under the Armed Career Criminal Act.

2. The sentencing hearing currently scheduled for June 4, 2021 is

**CONTINUED to September 9, 2021 at 9:30 a.m.** in Courtroom No. 4, Eighth Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania.

3. In conformity with Local Rule 32.1(a), the probation officer shall within fifty-six days after entry of this order disclose a revised presentence report to government and defense counsel in accordance with this order and the accompanying memorandum. This order does not require the disclosure of any portions of the presentence report that are not disclosable under Rule 32(d)(3) of the Federal Rules of Criminal Procedure.

4. In conformity with Local Rule 32.1(f), within fourteen days after receiving the presentence report, the parties shall communicate in writing to the probation officer, and to each other, any objections to material information, sentencing guideline ranges, and policy statements contained in or omitted from the presentence report. The written communication shall contain detailed information regarding any disputed issues. After receiving any objections, the probation officer may require counsel for both parties and/or the case agent to meet with the probation officer to discuss unresolved factual and legal issues. The probation officer may also undertake further investigation and revise the presentence report as necessary.
5. At least ten days before the sentencing hearing, the probation officer shall submit the final presentence report to the court, together with an addendum setting forth any unresolved objections, the grounds for those objections, and the probation officer's comments on those objections. At the same time, the probation officer shall transmit the final presentence report and the addendum to government and defense counsel. The probation officer shall not disclose any sentencing recommendation unless so ordered by the court.

s/Jennifer P. Wilson  
JENNIFER P. WILSON  
United States District Court Judge  
Middle District of Pennsylvania